

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DISTRICT**

JOSEPH RICHTER,

Plaintiff,

vs.

JEFFREY SWATEK, THOMAS
VENEGONI, CITY OF MARYLAND
HEIGHTS

Defendants.

Cause No.

JURY TRIAL DEMANDED

Serve Defendants Jeffrey Swatek & Thomas
Venegoni at Maryland Heights Police Department:
11911 Dorsett Rd., Maryland Heights, MO 63043

Serve Defendant City of Maryland Heights
via City Administrator, Tracey Anderson:
11911 Dorsett Rd., Maryland Heights, MO 63043

COMPLAINT

Plaintiff states:

1. All relevant conduct described herein occurred within St. Louis and St. Charles Counties in the State of Missouri.
2. Jurisdiction is conferred upon this United States District Court by 28 U.S.C. §§ 1331, 1343. Jurisdiction may also be appropriate under 18 U.S. C. §§ 2724(a).
3. There is no legitimate or lawful reason why any member of the Maryland Heights Police Department would, or legally could, access private information concerning Plaintiff.
4. On May 6, 2018, Defendant Thomas Venegoni, acting in concert with and on behalf of Defendant Swatek, accessed private information concerning Plaintiff held by the Missouri Department of Revenue.
5. At the time he accessed, the information in question, Defendant Thomas Venegoni was acting within the course and scope of his employment with Defendant City of Maryland Heights.

6. Such information contained Plaintiff's Social Security Number, Driver's License Number, Driver's License photo, Date of Birth, Address, and other private, sensitive, and legally protected information.
7. After Defendant Venegoni accessed the protected information, he then provided that information to Defendant Swatek.
8. Defendant Swatek then viewed the protected information.
9. Upon information and belief, Defendant Swatek then further distributed the protected information to one or more persons, who also viewed the protected information.
10. At the time of the unlawful access and distribution of protected information, Plaintiff was engaged in a romantic relationship with Defendant Swatek's ex-wife.
11. At the time of the unlawful access and distribution of protected information, Defendant Swatek had made unfounded accusations against Plaintiff in a petition for an order of protection filed in St. Charles Missouri.
12. That petition for an order of protection was subsequently dismissed.
13. Substantially similar claims about Plaintiff were also the subject of a motion to modify custody filed by Defendant Swatek against his ex-wife.
14. Upon information and belief, Defendant Swatek requested that his friend and co-worker, Defendant Venegoni, obtain private information held and controlled by the Missouri Department of Revenue regarding Plaintiff.
15. Defendant Venegoni did obtain such protected information.
16. Defendant Venegoni thereafter distributed that information to Defendant Swatek.
17. Defendant Swatek wanted and obtained the information for personal reasons and not for any reason authorized by law.
18. Defendants Swatek and Venegoni intentionally violated the privacy rights of Plaintiff.
19. In the alternate, Defendants Swatek and Venegoni acted with a reckless disregard for the privacy rights of Plaintiff.
20. Defendants Swatek and Venegoni conduct described above violated 18 U.S.C. § 2721.

21. As a direct and proximate result of the defendants' conduct, Plaintiff was injured in the following respects:

- a. Emotional Distress
- b. Statutory Damages
- c. Violation of his right to privacy

WHEREFORE, defendant requests this court enter its judgment in favor of plaintiff for such sums that are fair and reasonable as determined by a jury, statutory damages, attorney's fees, court costs, and any other remedy the court deems appropriate upon the premises.

/s/ John D. James

John D. James #61070

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